

**BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION**

In the Matter of the Revocation	)	
	)	
or Suspension of the Educator	)	<b>ORDER OF</b>
	)	<b>SUMMARY SUSPENSION</b>
Certificate of Catherine D. Emory,	)	
	)	
Certificate 194866	)	

**SUMMARY OF THE CASE**

The South Carolina State Board of Education (State Board) considered this matter on December 11, 2007. In accordance with S.C. Code Ann. § 1-23-370(c) (2004), the South Carolina Department of Education (Department) requested that the State Board summarily suspend the educator certificate of Catherine D. Emory, certificate 194866, as a result of her unprofessional conduct and inappropriate language with students at Lake City High School in November 2007. The Department has reason to believe that, due to the serious nature of these allegations of misconduct, Ms. Emory may pose a threat to the health, safety, or welfare of students and others and that emergency action by the State Board is required. After considering the evidence presented by the Department, the State Board voted to summarily suspend Ms. Emory's certificate until a due process hearing is held and/or this matter is otherwise resolved. The Department is directed to serve notice on Ms. Emory of the summary suspension, as well as the possible suspension or revocation of her educator certificate.

#### **FINDINGS OF FACT**

Ms. Emory holds a professional South Carolina educator certificate and has over six years of teaching experience. Ms. Emory has been employed by the Florence County School District Three (District) for the 2007-2008 school and has been assigned to the position of a French teacher at Lake City High School (School). On November 26, 2007, the District placed Ms. Emory on administrative leave pending an investigation into allegations that Ms. Emory may have been involved in unprofessional conduct of a sexual nature with students at the School. It is alleged that Ms. Emory engaged in sexual misconduct with two male students, and also that she involved students in inappropriate discussions of a sexual nature. On December 10, 2007, Ms. Emory resigned from her employment with the District. The State Board finds that the serious nature of these allegations against Ms. Emory poses a threat to the health, safety and welfare of students and that emergency action is required to summarily suspend Ms. Emory's educator certificate.

#### **CONCLUSIONS OF LAW**

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004). Just cause includes unprofessional conduct, immorality, crime against the law of this State or the United States and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (1992). In accordance with S.C. Code Ann. § 1-23-370(c) (2004), "If the agency finds that

public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action." The State Board finds that there is reason to believe that Catherine D. Emory may pose a threat to the welfare of students that may be under his instruction that requires emergency action by the State Board. Accordingly, the State Board summarily suspends Ms. Emory's educator certificate until a due process hearing is held and/or this matter is otherwise resolved.

South Carolina State Board of Education

By:   
John E. Tindal, Chair

Columbia, South Carolina

December 11, 2007